

CERTIFICATE OF MAILING

I hereby certify that this paper and every paper or fee referred to therein as being enclosed is being placed in First Class Mail addressed to the Assistant Commissioner for Patents, Attn: Office of Finance, Refund Section, Washington, D.C. 20231 as of today.


Richard T. Lyon

Date: 12-1-00

PATENT
Atty. Docket No: FAN-052-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Holland et al.

: Group Art Unit: 3632

Entitled: SUPPORT STAND FOR
HOLDING DISPLAY ITEMS

: Examiner: J. Wujciak

Serial No.: 08/992,504

Filing Date: December 17, 1997

OFFICE OF FINANCE
REFUND SECTION
2000 DEC -7 AM 10:08
US PATENT & TRADEMARK
OFFICE

REQUEST FOR REFUND

Hon. Commissioner of Patents and Trademarks
Attn: Office of Finance, Refund Section
Washington, D.C. 20231

Sir:

The subject application was revived under 37 CFR 1.137(b) as evidenced by the enclosed Decision on the Petition. Prior to the revival, but after the abandonment of the application, unsuccessful attempts were made by the applicant to pay late fees. The aforementioned petition stated that the fees are refundable. Specifically, it was stated that the applicant could

request a refund of \$545.00. To this end, the applicant hereby requests a refund of \$545.00, made payable to the correspondent.

Dated: 12-1-00

LYON, HARR & DEFRANK
300 Esplanade Drive
Suite 800
Oxnard, CA 93030
(805) 278-8855

Respectfully submitted



Richard T. Lyon

Reg. No. 37,385

Attorney for Applicant(s)



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231

Paper No. 13

RICHARD T. LYON
LYON HARR & DEFRANK
300 ESPLANADE DRIVE
SUITE 800
OXNARD, CA 93030

COPY MAILED

NOV 09 2000

**OFFICE OF PETITIONS
AND APPEALS**

In re Application of
Edward W. Holland et al.
Application No. 08/992,501
Filed: December 17, 1997
Attorney Docket No.

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed October 25, 2000, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed January 20, 2000, which set a shortened statutory period for reply of three (3) months. One month extension of time under the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the above-identified application became abandoned on May 21, 2000.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$435 (three month) extension of time submitted on August 25, 2000 was subsequent to the maximum extendable period for reply, petitioner may request a refund. On June 26, 2000, the office received \$165. The office has applied \$55 toward (one month) extension of time, therefore; the petitioner may request an additional \$110 refund from this transaction. The petitioner may request a total refund of \$545 by writing to the Office of Finance, Refund Section. A copy of this decision should accompany petitioner's request.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (703) 306-5684.

BEST AVAILABLE COPY

Application No. 08/992,504

Page 2

The application file is being forwarded to Technology Center 3600.


Irvin Dingle

Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner
for Patent Examination Policy

BEST AVAILABLE COPY